

Notice of Allowability

Application No.

10/760,487

Examiner

Lars A. Olson

Applicant(s)

RANDALL, PETER

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on February 6, 2006.
2. ☒ The allowed claim(s) is/are 14, 16-25, 37-39 and 47-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. On line 14 of Claim 47, the word "complane" has been deleted and replaced with the word "compliance".
3. An amendment was received from the applicant on February 6, 2006.
4. Claims 1-13, 15, 26-36 and 40-46 have been canceled.

Reasons for Allowance

5. Claims 14, 16-25, 37-39 and 47-50 are allowed.
6. The following is an examiner's statement of reasons for allowance. The ballast system as claimed is not shown or suggested in the prior art because of the use of a ballast system that is comprised of a wastewater treatment system, a wastewater ballast tank, a ballast discharge system from said ballast tank, a monitoring system, a disinfection unit for said ballast tank, a pump for circulating wastewater through said disinfection unit, and a control system for controlling the operation of said wastewater treatment system, said ballast discharge system, said monitoring unit, said disinfection unit and said pump. The prior art also does not show or suggest the use of a

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wastewater ballast method that is comprised of the steps of collecting wastewater during operation of a vessel, filtering said wastewater, treating said wastewater, storing said wastewater in a wastewater ballast tank, transferring said wastewater to a discharge unit, discharging said wastewater from said vessel, recirculating said wastewater through a first disinfection unit, and disinfecting said wastewater from said ballast tank using a second disinfection unit.

7. The prior art as disclosed by Husain et al. (US 6,361,695) shows the use of a shipboard wastewater treatment system that is comprised of a collection tank, a filtering bioreactor, a disinfection unit, and a recirculation system for wastewater. Tyllila (US 6,638,420) discloses a system in which treated wastewater can be discharged directly into the sea. Wipperman (US 6,672,233) discloses a system that utilizes ballast tanks to hold wastewater. Perlich et al. (US 6,773,611) discloses a ballast water treatment system with a monitoring device that is used to determine if treatment of wastewater is within applicable regulatory standards. Leffler et al. (US 2004/0099608) discloses a system in which treated water may be tested to determine if it meets predetermined thresholds. Therefore, none of the prior art cited shows or suggests the use of a ballast system that is comprised of a wastewater treatment system, a wastewater ballast tank, a ballast discharge system from said ballast tank, a monitoring system, a disinfection unit for said ballast tank, a pump for circulating wastewater through said disinfection unit, and a control system for controlling the operation of said wastewater treatment system, said ballast discharge system, said monitoring unit, said disinfection unit and said pump. The prior art also does not show or suggest the use of

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a wastewater ballast method that is comprised of the steps of collecting wastewater during operation of a vessel, filtering said wastewater, treating said wastewater, storing said wastewater in a wastewater ballast tank, transferring said wastewater to a discharge unit, discharging said wastewater from said vessel, recirculating said wastewater through a first disinfection unit, and disinfecting said wastewater from said ballast tank using a second disinfection unit.

Conclusion

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

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March 6, 2006

LARS A. OLSON
PRIMARY EXAMINER

Lars Olson
3/6/06